

PATENT

Atty. Dkt. No. WEAT/0153.P1

REMARKS

This is intended as a full and complete response to the Final Office Action dated October 12, 2005, having a shortened statutory period for response set to expire on January 12, 2006. Claims 1-3, 6-12, 14-23, 25-32, 34-44, and 46-58 are pending in the application. Claims 18-22, 35-39, and 47-51 are withdrawn. Please reconsider the claims pending in the application for reasons discussed below.

Claim Rejections Under 35 U.S.C. § 102(e)

The Examiner rejected claim 1 as being anticipated by *Lee* (U.S. 3,971,436). Applicants respectfully traverse the rejection.

Claim 1 includes the limitation of a valve movable from an object-retained position to an object release position where the object is permitted to exit the canister and a solid surface of the valve substantially blocks the flow of fluid around the valve. *Lee* does not disclose a valve that when opened to release a plug simultaneously blocks an annular bypass around the valve. In contrast, *Lee* merely discloses a pin type valve that is incapable of blocking fluid flow and certainly does not obstruct a by-pass flow when the pin is pulled to drop a plug. *Lee* therefore fails to teach each and every limitation of claim 1 and this failure prevents *Lee* from anticipating claim 1. For these reasons, Applicants submit that claim 1 is in condition for allowance and respectfully request withdrawal of the § 102(e) rejection. Additionally, claims 2, 3, 6-9, 23, 52, and 53 depend from claim 1 and these claims are allowable for at least the same reasons as claim 1.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 25, and 55 as being obvious over *Simson* (US 2003/0024701) in view of *Lee*. Applicants respectfully traverse the rejection of claims 1 and 25 and Applicants have cancelled claim 55.

Regarding claims 1 and 25, both claims include the limitation of a valve movable from an object-retained position to an object release position where the object is permitted to exit the canister and a solid surface of the valve substantially blocks the

PATENT

Atty. Dkt. No. WEAT/0153.P1

flow of fluid around the valve. As set forth above, *Lee* does not disclose this limitation. Similarly, *Simson* does not disclose a valve that when opened to release a plug simultaneously blocks an annular bypass around the valve. As shown in Figure 7 of *Simson*, the valve includes a D-shaped section "760" which acts as a flow path. (See *Simson*, paragraph [0073]). The D-shaped section "760" in combination with the fact that the valve disclosed in *Simson* has no absolute fluid "closed" position means that no by-pass fluid is ever blocked. In other words, the valve body bore disclosed in *Simson* is never closed to fluid flow. These references, either alone or in combination, therefore fail to teach or suggest all the elements recited in claims 1 and 25. This failure precludes the combination of *Simson* and *Lee* from rendering claims 1 and 25 obvious. Applicants therefore respectfully request withdrawal of the § 103(a) rejection of claims 1 and 25 and allowance of the same. Additionally, claims 2, 3, 6-17, 23-24, and 52-54 depend from claim 1 and claims 26-32 and 34 depend from claim 25 and these claims are allowable for at least the same reasons as claims 1 and 25.

Allowable Subject Matter

The Examiner indicated that claims 40-44 and 46 are allowed. Applicants appreciate allowance of claims 40-44 and 46.

The Examiner objected to claim 56 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have rewritten claim 56 as new claim 58. Applicants believe that new claim 58 is in condition for allowance and respectfully requests the same. Additionally, claim 57 has been rewritten as new claim 59 and is allowable for at least the same reasons as new claim 58.

Conclusion


In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

PATENT

Atty. Dkt. No. WEAT/0153.P1

Having addressed all issues set out in the Final Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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